

IN THE CLAIMS:

Please amend the claims as follows. This listing of the claims will replace all prior versions, and listings, of claims in the application:

1 - 16. (Canceled)

17. (Currently Amended) A coffee machine having a drawer for supplying a coffee pad which can be pushed into the coffee machine in a substantially horizontal manner with the coffee pad inserted therein, the coffee machine comprising:

~~wherein~~ actuating means ~~are provided~~ for opening and closing a brewing chamber formed by a brewing chamber upper part and a brewing chamber lower part whereby at least one of the brewing chamber lower part and the brewing chamber upper part can be moved towards the other to form a sealed brewing chamber, the actuating means comprising a lever mechanism being actuated by a user to move at least one of the brewing chamber lower part and the brewing chamber upper part; and

a coffee pad retainer located in a drawer within said brewing chamber and being at least partially encircled, in the closed state of the brewing chamber, by a retaining device being movable in a substantially vertical direction by the lever mechanism between a lowered state and a raised state so that the coffee pad retainer can be lifted with the retaining device and the coffee pad retainer at least partially forms the brewing chamber lower part.

18. (Previously Presented) The coffee machine according to claim 17, wherein the brewing chamber lower part can be moved toward the brewing chamber upper part.

19. (Previously Presented) The coffee machine according to claim 17, wherein the brewing chamber upper part can be moved toward the brewing chamber lower part.

20. (Previously Presented) The coffee machine according to claim 17, wherein the brewing chamber upper part and the brewing chamber lower part can be moved toward one another.

21-25. (Canceled)

26. (Currently Amended) The coffee machine according to claim ~~[[25]]~~ 17, wherein the retaining device comprises two clamps which engage the coffee pad retainer on opposite sides.

27. (Previously Presented) The coffee machine according to claim 26, wherein each clamp has a continuation at its lower end which applies an upwardly directed force to the coffee pad retainer during lifting of the retaining device.

28. (Previously Presented) The coffee machine according to claim 27, wherein each clamp has another continuation at its lower end which applies a downwardly directed force to the coffee pad retainer during lowering of the retaining device.

29. (Previously Presented) The coffee machine according to claim 17, wherein an inner side of the brewing chamber upper portion is formed from a elastic material.

30. (Currently Amended) The coffee machine according to claim ~~[[25]]~~ 17, wherein the lever mechanism is supported with at least two square regions on the brewing chamber upper part, these square regions each being rectangular and having respectively one long and one short side, so that in the lowered state of the retaining device the square regions have one long side resting on the brewing chamber upper part and in the elevated state of the retaining device the square regions have one short side resting on the brewing chamber upper part.

31. (Previously Presented) The coffee machine according to claim 30, wherein in the raised state the square regions have a short side resting in indentations of the brewing chamber upper part.

32. (Currently Amended) The coffee machine according to claim ~~[[25]]~~ 17, wherein the coffee pad retainer is mounted telescopically on the drawer.